



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150*

Jean M. Lorizio, Esq.
Chairman

DECISION

**V.F. ROMA ITALIAN CUISINE, INC. D/B/A ROMA RESTAURANT
561 COLLEGE HIGHWAY
SOUTHWICK, MA 01077
LICENSE#: 1222-00005
VIOLATION DATE: 4/28/2019
HEARD: 9/10/2019**

V.F. Roma Italian Cuisine, Inc. d/b/a Roma Restaurant (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, September 10, 2019, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Receipt for Purchase of Alcohol;
4. Copy of Licensee's Application Approval 10/3/2000; and
5. ABCC Decision, 5/27/2014.

There is one (1) audio recording of this hearing.

FACTS

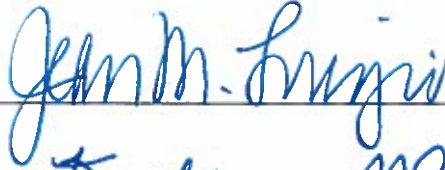
1. On Sunday, April 28, 2019, at approximately 4:16 p.m., Investigators Watson and Temple ("Investigators") investigated the business of V.F. Roma Italian Cuisine, Inc. d/b/a Roma Restaurant.
2. An underage operative, working with Investigators, purchased from the Licensee alcoholic beverages, a glass of Bud Light beer for two dollars and fifty cents (\$2.50). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2003 with one prior violation.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21). Therefore, the Commission **suspends the license for a period of one (1) day which will be held in abeyance for a period of two years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: September 10, 2019

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Christopher Temple, Investigator
Lisa Watson, Investigator
Administration, File